



P.B.5818 - Patentlaan 2
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Europäisches
Patentamt

European
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Generaldirektion 1

Directorate General 1

Direction générale 1

Alpina Productos Alimenticios S.A.
Carrera 4,
Zona Industrial
Sopo
COLOMBIE



EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date

20-02-2006

Reference	Application No./Patent No. 03732795.4 - 2114 PCT/IB0302255
Applicant/Proprietor Alpina Productos Alimenticios S.A.	

Noting of loss of rights pursuant to Rule 69(1) EPC

The European patent application cited above is deemed to be withdrawn (Rule 108(1) EPC) for the following reason(s):

- a) ☐ translation of the international application into one of the EPO's official languages (Art. 158(2) EPC) not filed within the period specified in Rule 107(1)(a) EPC
- b) ☒ national basic fee
☐ search fee
☒ designation fee
☒ examination fee and/or written request for examination
not validly paid / not made within the time limit specified in Rule 107(1)(c)-(f) EPC
- (c) ☐ payment of the above fees on, after expiry of the period for payment (on 12.01.06).

MEANS OF REDRESS:

1. The loss of rights [(a)(b)] shall be deemed not to have occurred if, within a (non-extendable) period of **TWO MONTHS** of notification of this communication, the relevant requirement(s) has (have) been fulfilled and the appropriate surcharge(s) under Article 2(3b)(3c) RFees have been paid (Rule 108(3) EPC).
If fees were paid late [(c)], the requirement(s) as specified in Article 8(3)(4) RFees is (are) to be fulfilled within the same time limit.
2. If, however, the applicant considers that this finding is inaccurate, he may apply in writing for an EPO decision on the matter (Rule 69(2) EPC) within the same time limit, i.e. that specified in (1). The finding will be set aside only if it does not actually correspond to the factual or legal situation.
The applicant's rights with regard to fee payment or filing the written request for examination cannot be re-established under Article 122 EPC.
3. If, in spite of all due care required by the circumstances having been taken, the applicant was unable to **observe the time limit for filing the translation**, he will, upon application, have his rights re-established provided that the time limits and formal requirements laid down in Article 122 EPC are complied with.



Date

Sheet 2

Application No. 03732795.4

NOTE:

Applicants not having either a residence or principal place of business within the territory of one of the EPC contracting states must have the above request under Article 122 EPC or Rule 69(2) EPC filed by a professional representative authorised to act before the EPO.

RECEIVING SECTION

Enclosure: Schedule of Fees



Gebühren für in die europäische Phase eintretende internationale Patentanmeldungen in EURO geltend ab 01.07.05
Fees for international applications entering the European phase in EURO effective as from 01.07.05
Taxes pour les demandes internationales entrant dans la phase européenne en EURO applicables à compter du 01.07.05

<p>Nationale Grundgebühr / National basic fee / Taxe nationale de base:</p> <p>Das Formblatt für den Eintritt in die europäische Phase (EPA Form 1200) wird auf Papier eingereicht. The form for entry into the European phase (EPO Form 1200) is filed on paper. Le formulaire d'entrée dans la phase européenne (formulaire OEB 1200) est déposé sur papier.</p> <p>Das Formblatt für den Eintritt in die europäische Phase (EPA Form 1200) wird online eingereicht. The form for entry into the European phase (EPO Form 1200) is filed online. Le formulaire d'entrée dans la phase européenne (formulaire OEB 1200) est déposé en ligne.</p>	<p>160,00</p> <p>(125,00) *</p> <hr/> <p>90,00</p>
<p>Recherchegebühr / Search fee / Taxe de recherche:</p> <hr/> <p>Anwendbar für internationale Patentanmeldungen, die ab 1. Juli 2005 eingereicht werden: Applicable to international applications, filed on or after 1 July 2005: Applicable aux demandes internationales qui ont déposées à compter du 1er juillet 2005:</p>	<p>690,00</p> <hr/> <p>960,00</p>
<p>Benennungsgebühr für jeden benannten Vertragsstaat (siebenfacher Betrag = alle Vertragsstaaten). Designation fee for each contracting state designated (seven times the amount = all contracting states). Taxe de désignation pour chaque Etat contractant désigné (sept fois cette taxe = tous les Etats contractants).</p>	<p>75,00</p>
<p>Zuschlagsgebühr für die verspätete Einreichung der Übersetzung der internationalen Anmeldung oder die verspätete Stellung des Prüfungsantrags oder die verspätete Entrichtung der nationalen Grundgebühr, der Recherchegebühr und/oder der Benennungsgebühren (Regel 108 Absatz 3): 50% der betreffenden Gebühren, jedoch mindestens 500 EUR bei verspäteter Einreichung der Übersetzung und insgesamt höchstens</p> <p>Surcharge for late filing of either the translation of the international application or the request for examination, or for late payment of the national basic fee, the search fee and/or the designation fee (Rule 108(3)): 50% of the relevant fees, but at least EUR 500 for late filing of the translation, up to a maximum of</p> <p>Surtaxe pour production tardive de la traduction de la demande internationale, pour présentation tardive de la requête en examen ou pour retard de paiement de la taxe nationale de base, de la taxe de recherche et/ou des taxes de désignation (règle 108 (3): 50% des taxes concernées, sans que le montant puisse être inférieur à 500 EUR en cas de production tardive de la traduction et sans que le montant total puisse dépasser</p>	<p>1750,00</p>
<p>Anspruchsgebühr für den elften und jeden weiteren Anspruch. Claims fee for the eleventh and each subsequent claim. Taxe pour chaque revendication à partir de la onzième.</p>	<p>40,00</p>
<p>Pauschalgebühr für eine zusätzliche Abschrift der im Europäischen Recherchenbericht aufgeführten Schriften. Flat-rate fee for an additional copy of the documents cited in the European search report. Taxe forfaitaire pour une copie supplémentaire des documents cités dans le rapport de recherche européenne.</p>	<p>20,00</p>
<p>Prüfungsgebühr / Examination fee / Taxe d'examen</p>	<p>1430,00 **</p>
<p>Prüfungsgebühr, für internationale Patentanmeldungen die ab 1. Juli 2005 eingereicht werden: Examination fee, for international applications filed on or after 1 July 2005: Taxe d'examen, pour les demandes internationales qui sont déposées à compter du 1er juillet 2005:</p> <p>Anwendbar für internationale Patentanmeldungen, für die ein ergänzender europäischer Recherchenbericht erstellt wird: Applicable for international applications for which a supplementary European search report is drawn up: Applicable aux demandes internationales pour lesquelles il est établi un rapport complémentaire de recherche européenne:</p> <hr/> <p>Anwendbar für internationale Patentanmeldungen, für die kein ergänzender europäischer Recherchenbericht erstellt wird (Art. 157(3)(a)): Applicable for international applications for which no supplementary search report is drawn up (Art. 157(3)(a)): Applicable aux demandes internationales pour lesquelles il n'est pas établi de rapport complémentaire de recherche européenne (art. 157(3)(a)):</p>	<p>1280,00</p> <hr/> <p>1430,00</p>

* = Anwendbar für internationale Patentanmeldungen, die bis zum 31. Dezember 2004 in die europäische Phase eingetreten sind / Applicable to international applications having entered the European phase on or before 31 December 2004 / Applicable aux demandes internationales entrées dans la phase européenne jusqu'au 31 décembre 2004 inclus.

** = Anwendbar für internationale Patentanmeldungen, die bis zum 30. Juni 2005 eingereicht wurden / Applicable to international applications filed up to 30 June 2005 / Applicable aux demandes internationales déposées jusqu'au 30 juin 2005 inclus.

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BE	310-0449878-78 ING Belgium Mamix Business Branch 1, rue du Trône B-1000 Bruxelles	FI	200118-182076 Nordea Bank Finland plc, Aleksanterinkatu 17, 1200 Helsinki FIN-00020 Nordea	LV	Noch nicht verfügbar Not yet available Pas encore disponible
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BG	1465104501 Bulbank 7, Sveta Nedelya Sq. BG-1000 Sofia	FR	30004 00567 00020020463 29 (RIB) BNP - Paribas Agence: Paris Clientèle International 2 Place de l'Opéra F-75002 Paris 2ème	NL	51 36 38 547 ABN AMRO Bank NV Kneuterdijk 1, Postbus 165 NL-2501 AP Den Haag
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	91-649517-3 * PostFinance Operations Center CH-6007 Luzern		112002002007046 Alpha Bank Athens Tower Branch 2, Messoghion Avenue GR-115 27 Athens	PL	42103015080000000504086003 Bank Handlowy w Warszawie S.A. Senatorska 16 PL-00-923 Warszawa
CY	0155-41-190144-48 Bank of Cyprus 2-4 Them. Dervi Street. P.O. Box 1472 CY-1599 Nicosia	HU	11764946-00239880 OTP Bank Rt. Központi Fiók Deák Ferenc utca 7-9 HU-1052 Budapest	PT	2088391145 Millennium bcp Banco Comercial Português Av. Fontes Pereira de Melo, 7 P-1050-115 Lisboa
CZ	01841280/0300 Československá Obchodní Banka A.S. Na Příkopě 14 CZ-11520 Praha 1	IE	309 822 01 (Bank Code 901 490) Bank of Ireland Lower Baggot Street Branch P.O. Box 3131 IRL-Dublin 2	RO	Not yet available Noch nicht verfügbar Pas encore disponible
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	300-800 (BLZ 700 100 80) * Deutsche Postbank AG Bayerstrasse 49 D-80138 München	IT	936832 01 94 (conto estero) ABI 03069 / CAB 05020 Banca Intesa Via del Corso, 226 I-00186 Roma		7 41 53-8 * Nordea Bank Sweden AB/Postgirot H-18, Foreign Customer Services S-10571 Stockholm
DK	3001014560 Danske Bank A/S Holmens Kanal Dept. Holmens Kanal 2-12 DK-1092 København K.		10568277 * Poste Italiane C.U.A.S. Piazza Vesuvio, 6 I-20144 Milano	SI	03500-1000001709 SKB Banka D.D. Ajdovščina 4 SI-1513 Ljubljana
	1551-2138837478 * BG Bank Erhvervsafdeling City Nørre Voldgade 68 DK 1011 København K.	LT	Noch nicht verfügbar Not yet available Pas encore disponible	SK	2920480237 (Bank code 1100) Tabra Banka A.S. Branch Banská Bystrica Dolná 2 SK-97401 Banská Bystrica
				TR	4214-301120-1039000 Türkiye İS Bankası A.S. Gazi Mustafa Kemal Bulvarı 8 TR-06640 Kızılay / Ankara

* = Postscheckkonto
Giro account
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Tel.: +31 (0)70 340 45 00

Date

15.02.06

Reference	Application No./Patent No. 03732795.4 - 2114 PCT/IB0302255
Applicant/Proprietor Alpina Productos Alimenticios S.A.	

**Notice drawing attention to Article 86(2) EPC, Article 2 No. 5 of the Rules relating to Fees
- Payment of the renewal fee plus additional fee -**

The renewal fee for the 0003. year fell due on 12.01.06 (Art. 40(1) PCT, R. 107(1)g) EPC). This particular due date of the renewal fee for the 0003. year does not affect the due date of the subsequent renewal fees.

The amount of the renewal fee is EUR 380,00

The renewal fee was not paid by the due date.

The renewal fee can still be paid within **six months** of the due date cited above, provided that the additional fee (10% of the renewal fee) is paid at the same time. Within the above period which cannot be extended the following fees are to be paid:

Renewal fee for the 0003. year:	EUR	380,00
Additional fee:	EUR	38,00

TOTAL AMOUNT	EUR	418,00

If the renewal fee and the additional fee are not paid in due time, the European patent application shall be deemed to be withdrawn (Art. 86(3) EPC).

Receiving Section





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EPO Customer Services

Tel.: +31 (0)70 340 45 00

Date

28.10.05

Reference	Application No./Patent No. 03732795.4 - 2114 PCT/IB0302255
Applicant/Proprietor Alpina Productos Alimenticios S.A.	

Entry into the European phase before the European Patent Office

These notes describe the procedural steps required for entry into the European phase before the European Patent Office (EPO). You are advised to read them carefully: failure to take the necessary action in time can lead to your application being deemed withdrawn.

1. The above-mentioned international patent application has been given European application No. **03732795.4**.
2. Applicants **without** a residence or their principal place of business in an EPC contracting state may themselves initiate European processing of their international applications, provided they do so before expiry of the 31st month from the priority date (see also point 6 below).

During the European phase before the EPO as designated or elected Office, however, such applicants must be represented by a professional representative (Arts. 133(2) and 134(1), (7) EPC).

Procedural acts performed after expiry of the 31st month by a professional representative who acted during the international phase but is not authorised to act before the EPO have no legal effect and therefore lead to loss of rights.

Please note that a professional representative authorised to act before the EPO and who acted for the applicant during the international phase does not automatically become the representative for the European phase. Applicants are therefore strongly advised to appoint in good time any representative they wish to initiate the European phase for them; otherwise, the EPO has to send all communications direct to the applicant.

3. Applicants **with** a residence or their principal place of business in an EPC contracting state are not obliged to appoint, for the European phase before the EPO as designated or elected Office, a professional representative authorised to act before the EPO.
However, in view of the complexity of the procedure it is recommended that they do so.
4. Applicants and professional representatives are also strongly advised to initiate the European phase using EPO Form 1200 (available free of charge from the EPO). This however is not compulsory.



5. **To enter the European phase before the EPO, the following acts must be performed.**
(N.B.: Failure validly to do so will entail loss of rights or other adverse legal consequences.)
- 5.1 If the EPO is acting as **designated or elected Office** (Arts. 22(1)(3) and 39(1) PCT respectively), applicants must, within 31 months from the date of filing or (where applicable) the earliest priority date:
- a) Supply a translation of the international application into an EPO official language, if the International Bureau did not publish the application in such a language (Art. 22(1) PCT and Rule 107(1)(a) EPC).
If the translation is not filed in time, the international application is deemed withdrawn before the EPO (Rule 108(1) EPC).
This loss of rights is deemed not to have occurred if the translation is then filed within a two-month grace period as from notification of an EPO communication, provided a surcharge is paid at the same time (Rule 108(3) EPC).
 - b) Pay the national basic fee (EUR 160,00) and, where a supplementary European search report has to be drawn up, the search fee (EUR 960,00 ; Rule 107(1)(c) and (e) EPC).
 - c) If the time limit under Article 79(2) EPC expires before the 31-month time limit, pay the designation fee (EUR 75,00) for each contracting state designated (Rule 107(1)(d) EPC).
 - d) If the time limit under Article 94(2) EPC expires before the 31-month time limit, file the written request for examination and pay the examination fee (EUR 1430,00 ; Rule 107(1)(f) EPC).
 - e) Pay the third-year renewal fee (EUR 380,00) if it falls due before expiry of the 31-month time limit (Rule 107(1)(g) EPC).
- If the fees under (b) to (d) above are not paid in time, or the written request for examination is not filed in time, the international application is deemed withdrawn before the EPO, or the contracting-state designation(s) in question is (are) deemed withdrawn (Rule 108(1) and (2) EPC). However, the fees may still be validly paid within a two-month grace period as from notification of an EPO communication, provided the necessary surcharges are paid at the same time (Rule 108(3) EPC). For the renewal fee under (e) above, the grace period is six months from the fee's due date (Article 86(2) EPC).
- 5.2 If the application documents on which the European grant procedure is to be based comprise more than ten claims, a claims fee is payable within the 31-month time limit under Rule 107(1) EPC for the eleventh and each subsequent claim (Rule 110(1) EPC). The fee can however still be paid within a one-month grace period as from notification of an EPO communication pointing out the failure to pay (Rule 110(2) EPC).
6. If the applicant had a representative during the application's international phase, the present notes will be sent to the representative, asking him to inform the applicant accordingly.

All subsequent communications will be sent to the applicant, or - if the EPO is informed of his appointment in time - to the applicant's European representative.



Date

Sheet 3

Application No. 03732795.4

7. For more details about time limits and procedural acts before the EPO as designated and elected Office, see the EPO brochure

How to get a European patent
Guide for applicants - Part 2
PCT procedure before the EPO - "Euro-PCT"

This brochure, the list of professional representatives before the EPO, Form 1200 and details of the latest fees are now all available on the Internet under

<http://www.european-patent-office.org>

RECEIVING SECTION

